

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDALL THOMAS,

Plaintiff,

Case No: 12-15494

Hon. Victoria A. Roberts

vs

LIGHTHOUSE OF OAKLAND COUNTY,
et al,

Defendants.

_____ /

**ORDER REQUIRING PLAINTIFF TO APPEAR FOR THE CONTINUATION OF HIS
VIDEO DEPOSITION**

Defendants filed a motion requesting that they be given more time to complete Plaintiff's deposition.

Plaintiff's deposition has been taken at the United States Courthouse. On one occasion, defense counsel and Plaintiff appeared in chambers for the Court's guidance on issues that had arisen during the deposition. On another occasion they appeared by telephone for the Court's guidance. The Court has been kept fully apprised of issues surrounding Plaintiff's deposition; the Defendants accurately state in their motion, what the issues have been and the history behind prior orders entered by the Court.

During the telephone conference the Court held with defense counsel and Plaintiff on June 18, 2015, the Court told defense counsel to report at the conclusion of Plaintiff's deposition that day, how much additional time they would require to complete the deposition, and the Court would allow it. Plaintiff was present for that phone conference.

Accordingly, Defendants' motion is GRANTED IN PART. Defendants are

allowed 8 more hours on the record to complete Plaintiff's deposition. Defendants are allowed to videotape the deposition. Plaintiff must fully cooperate in setting a convenient time for this deposition to continue at the United States Courthouse, keeping in mind that discovery closes on July 17th and Plaintiff's deposition must be completed before he can take defense depositions. Plaintiff's failure to cooperate in scheduling his deposition well in advance of the discovery cutoff date so that defense depositions can be taken before July 17th as well, or his failure to cooperate during his deposition, may result in dismissal of his lawsuit or the imposition of other sanctions.

A Court Security Officer will be stationed in the room during Plaintiff's deposition.

Defendants will be allowed to bring the following equipment into the Courthouse for Plaintiff's deposition:

- One metal video cart with file size plastic cabinet containing: six microphone cables, three converters, a nine inch monitor, video cables, power strip, camera power supply and adaptors;
- Three DVD recorders;
- One audio mixer;
- One video tripod;
- One camera case containing: one Sony DV camera PD 170, six microphones, portable auto recorder, two remote controls, portable monitor/laptop, DV tapes, 12 DVD discs, backup cables, additional remote, two additional microphones and microphone splitter.

Defendants' request for costs and attorney fees is DENIED.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: June 26, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on June 26, 2015.

s/Carol A. Pinegar

Deputy Clerk